United Nations A/67/574–S/2012/845

General Assembly
Security Council

Distr.: General
19 November 2012

Original: English

General Assembly
Sixty-seventh session
Agenda item 125
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Sixty-seventh year

Identical letters dated 14 November 2012 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council

I have the honour to transmit to you the attached letter dated 29 October 2012 from Judge Theodor Meron, President of the International Tribunal for the Former Yugoslavia.

In his letter, Judge Meron requests the extension of the term of office of 13 permanent judges of the Trial and Appeals Chambers and 8 ad litem judges of the Trial Chamber of the Tribunal until the dates set out therein or until the completion of the cases to which they are or will be assigned, if sooner.

I recall that, pursuant to Security Council resolution 1931 (2010) and General Assembly decision 64/416 C, the current term of office of the judges of the Appeals Chamber is set to expire on 31 December 2012. Similarly, according to Security Council resolution 1993 (2011) and General Assembly decision 65/413 B, the term of office of the judges of the Trial Chamber expires on 31 December 2012. However, it is evident from the updated trial and appeals schedules that the cases to which these judges are or will be assigned will not be completed by the end of this year. Therefore, it is necessary to extend the term of office of the judges beyond 31 December 2012.

It falls to the General Assembly and the Security Council to consider and decide on this request. Accordingly, I should be grateful if you would bring the letter from Judge Meron to the attention of the members of the General Assembly and of the Security Council.

(*Signed*) **BAN** Ki-moon

12-59793 (E) 201112

Please recycle

Annex

Letter dated 29 October 2012 from the President of the International Tribunal for the Former Yugoslavia addressed to the Secretary-General

I have the honour of referring to Security Council resolution 1931 (2010) of 29 June 2010, in which the Security Council extended the terms of office of the judges of the Appeals Chamber until 31 December 2012 or until the completion of the cases to which they are assigned or until the completion of their term as members of the Appeals Chamber, if sooner. I also have the honour of referring to Security Council resolution 1993 (2011) of 29 June 2011, in which the Security Council (1) extended the terms of office of the permanent judges of the Trial Chambers until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner; and (2) extended the terms of office of the ad litem judges of the Trial Chambers until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner.

By this present letter, I wish to submit updated trial and appeal schedules[a] and to bring to your attention the necessity of extending the terms of office of the Tribunal's permanent judges and of certain ad litem judges.

By reference to the attached trial and appeal schedules, the following extensions are sought:

Permanent judges

An extension until 31 December 2014 or until the completion of the trials to which they are or will be assigned, if sooner, is sought for the following judges:

Judge Flügge (Germany)
Judge Orie (Netherlands)
Judge Kwon (Republic of Korea)
Judge Moloto (South Africa)
Judge Hall (Bahamas)
Judge Morrison (United Kingdom of Great Britain and Northern Ireland)
Judge Delvoie (Belgium)

An extension until 31 December 2014 or until the completion of the trials and/or appeals to which they are or will be assigned, if sooner, is sought for the following judges:

Judge Meron (United States of America)
Judge Agius (Malta)
Judge Robinson (Jamaica)
Judge Pocar (Italy)
Judge Liu (China)
Judge Antonetti (France)

[a] The attached trial and appeal schedules were updated in October 2012 to reflect the current forecasts with respect to the completion of the Tribunal's work.

Ad litem judges

An extension until 31 December 2013 or until the completion of the trial to which he is currently assigned, if sooner, is sought for the following ad litem judge:

Judge Harhoff (Denmark)

An extension until 1 June 2013 or until the completion of the trial to which they are currently assigned, if sooner, is sought for the following ad litem judges:

Judge Prandler (Hungary)
Judge Trechsel (Switzerland)
Judge Picard (France)
Judge Gwaunza (Zimbabwe)

An extension until 31 December 2014 or until the completion of the trials to which they are currently assigned, if sooner, is sought for the following ad litem judges:

Judge Mindua (Democratic Republic of the Congo)
Judge Lattanzi (Italy)
Judge Baird (Trinidad and Tobago)

I would be grateful if you would bring this letter and its attachments to the attention of the Security Council and the General Assembly for their consideration.

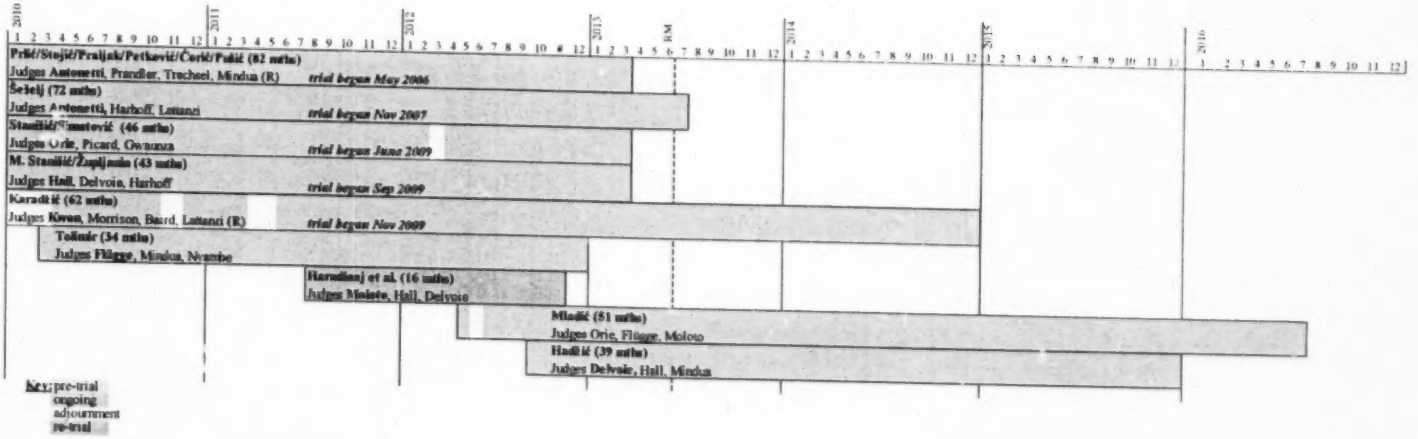
(*Signed*) Theodor **Meron**
President

4

Enclosure I

Trial schedule of the International Tribunal for the Former Yugoslavia

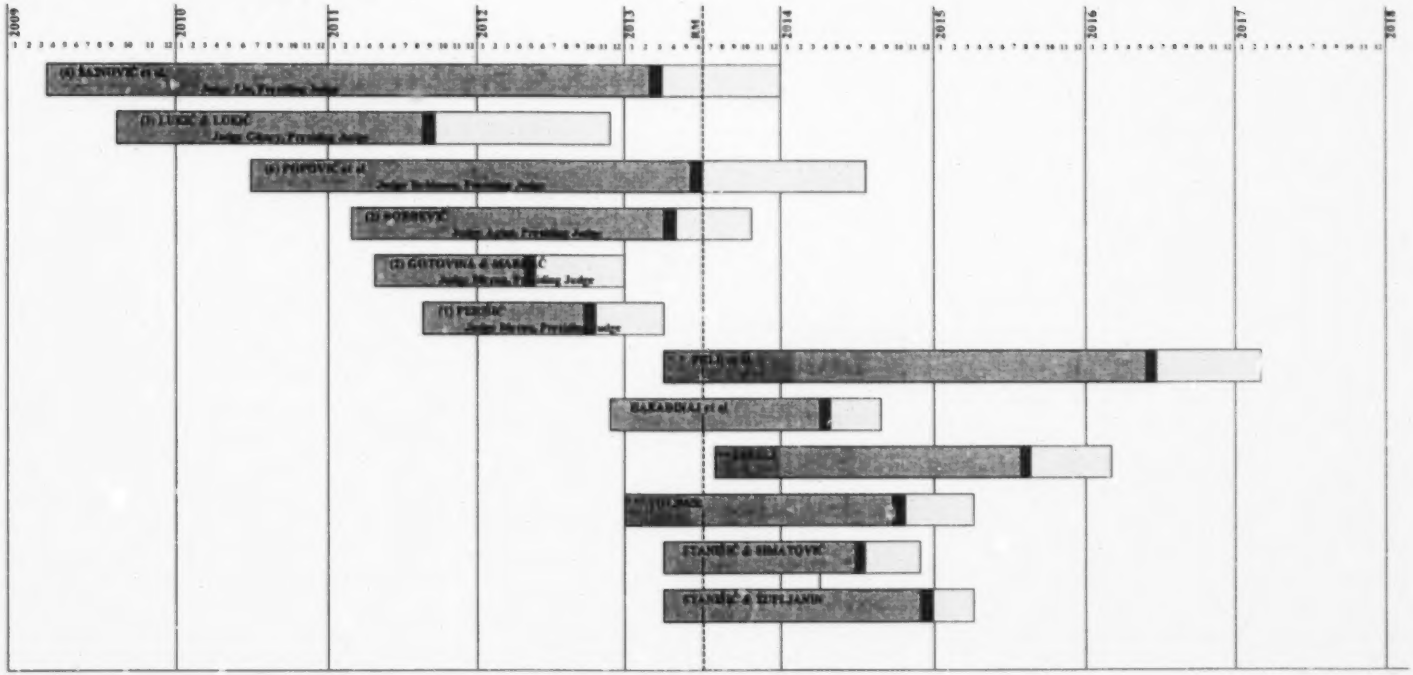
(as at 2 October 2012)



Enclosure II

Appeal schedule of the International Tribunal for the Former Yugoslavia

(as at 2 October 2012)



Contempt proceedings on appeal:

1. IT-03-67-R77.3-A Vojislav Šešelj, notice of appeal filed on 13 Nov 2011

2. IT-98-32/1-R77.3-A Petkovic, notice of appeal filed on 13 Mar 2012, Jelena Rasic, notice of appeal filed on 19 Mar 2012

3. IT-03-67-R77.4-A Vojislav Šešelj, notice of appeal filed on 19 July 2012

Key:

- Briefing
- Preparation for Hearing
- Hearing
- Judgement Drafting
- Translation

(including time for filing Notice of Appeal)

Extension due to TC Judgement translation (only for the self-represented accused who do not speak English and for French benches)

* *Prlić* TC Judgement into English 10 months - solutions being implemented to reduce the total post-judgement translation period to a minimum

** *Jeftić* TC Judgement into BCS and English 5 months

*** *Tolimir* TC Judgement translation into BCS 5 months

In brackets: number of appellants